

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

JAMES DARIUS JONES,

Petitioner,

v.

Case No. 04-C-303

JEFFREY P. ENDICOTT,

Respondent.

DECISION AND ORDER

James Darius Jones (“Jones”) filed a petition to proceed *in forma pauperis* in his appeal challenging the denial of his habeas petition. The Court will deny his request because Jones is able to pay the \$450.00 filing fee. Jones has \$504.25 in one savings account, another \$800.16 in another savings account, and his prison trust fund account statement indicates that, as of September 20, 2007, Jones had a balance of \$1,781.70. Jones is more than able to pay the filing fee for an appeal.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

Jones’s Petition to Proceed *In Forma Pauperis* on Appeal (Docket No. 36) is
DENIED.

Dated at Milwaukee, Wisconsin this 28th day of September, 2007.

BY THE COURT

s/ Rudolph T. Randa
Hon. Rudolph T. Randa
Chief Judge